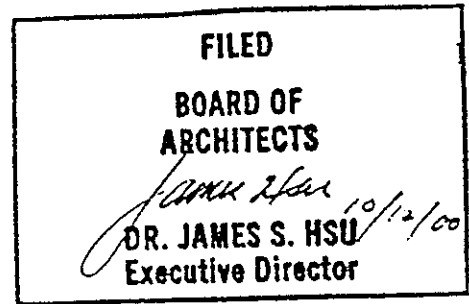


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Attorney for State Board of Architects



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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF ARCHITECTS

IN THE MATTER OF

Robert Giacomelli
License No. AI 06545

TO PRACTICE ARCHITECTURE IN
THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Architects (hereinafter the "Board") upon receipt of allegations that Robert Giacomelli, Architect, improperly took work products, a rendering of a school designed by The Design Collaborative, ("TDC"), and other materials from the offices of Louis De Losso, principal in TDC, after being terminated as an employee on February 23, 1995. Contrary to a prior agreement, respondent allegedly failed to obtain his former employer's permission to take the materials and refused subsequent requests for their return. A similar complaint to the Board by

a second employer, The Vaughn Collaborative (TVC), (now merged with the De Losso firm), alleges unpermitted taking of a drawing showing Rush Elementary School in Bensalem, PA, and respondent's misrepresentation of the drawing as solely his professional work rather than crediting also TVC, which employed him to produce the design as part of a team.

At the Board's investigative inquiry on May 25, 2000, Mr. Giacomelli testified, accompanied by counsel, Lawrence Powers, Esq., of Hill Wallach, Attorneys at Law. He contended that he had engaged in both marketing and design during his term of employment at TDC, that he was the co-designer of the school rendering at issue and therefore had not misrepresented his authorship. Further, he testified that he was the lead architect of the TVC team which designed the Rush Elementary School and was therefore entitled to advertise that drawing as his own. At a school board convention in 1999 the respondent presented a preliminary design of the Rush Elementary School with credit attributed to his new firm, the Giacomelli Lichtman Partnership, without attribution to his prior employer, TVC.

Having reviewed the foregoing information, it appears to the Board that Mr. Giacomelli's presentation of plans and design documents prepared while he was employed by TDC and TVC, without crediting those firms, constitutes a failure to disclose to prospective or existing clients the scope of his prior responsibility in connection with work for which he took credit, in violation of N.J.A.C. 13:27-5.4(b). These facts preliminarily establish a basis for disciplinary action, pursuant to the rule cited and N.J.S.A. 45:1-21(h).

It appearing that respondent desires to cooperate fully with the Board and to resolve this matter by entering into an agreement with the Board and for good cause shown;

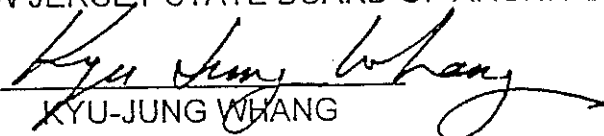
IT IS ON THIS 27th DAY OF JULY 2000,

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall cease and desist from failing to disclose to a prospective or existing client or employer the scope of his responsibility in connection with work for which he or she is claiming credit.
2. Respondent shall be assessed a civil penalty for this first offense, pursuant to N.J.S.A. 45:1-25, of \$1000.
3. Payment of the civil penalty shall be submitted within 30 days of entry of this order by certified check or money order made payable to the State of New Jersey and sent to James S. Hsu, Executive Director, State Board of Architects, 124 Halsey Street-P.O.Box 45001, Newark, NJ 07101.

NEW JERSEY STATE BOARD OF ARCHITECTS

By:


KYU-JUNG WHANG
PRESIDENT